



THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
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December 15, 2022

**VIA ECF**

The Honorable Sarah L. Cave  
United States Magistrate Judge  
Southern District of New York  
500 Pearl St.  
New York, N.Y. 10007

Re: Paul Phillips v. The City of New York, et. al., 21 Civ. 8149 (ALC)(SLC)

Your Honor:

I am a Senior Counsel in the office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, representing defendant City of New York in the above-referenced matter. Plaintiffs allege that their constitutional rights were violated by defendant herein. Defendant City of New York respectfully requests an extension of time to answer or otherwise respond to plaintiff's first amended complaint from December 19, 2022 until January 9, 2023. Plaintiffs have consented to this request for an extension of time.

There are several reasons for seeking an enlargement of time in this matter. In accordance with this office's obligations under Rule 11 of the Federal Rules of Civil Procedure, we need additional time to investigate the allegations of the amended complaint, which include class action allegations. Prior counsel for defendant, Mostafa Khairy, has now left the Law Dep't and I will be the supervisor on the case going forward. Because two Assistant Corporation Counsels who were going to be taking over this case had to turn their attention to an urgent matter, I was only assigned the case last night, as well as two other Assistant Corporation Counsels, who will also be appearing for defendant *forthwith*.

Accordingly, we respectfully request that defendant City's time to answer or otherwise respond to the complaint be extended to January 9, 2023. No prior request for an extension of time to respond to the first amended complaint has been made by defendant City of New York.

Thank you for your consideration herein.

Respectfully submitted,

/s/ Mark D. Zuckerman

Mark D. Zuckerman  
Senior Counsel

cc: All Counsel (via ECF)